S.B.Criminal Revision Petition No.939/2007

Boorh Singh
v.
State of Rajasthan & Anr.

Date of Order :: 26th October, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. R.S.Gill, for the petitioner.
Mr. Vishnu Kachhawaha, Public Prosecutor.

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By this petition under Section 397 read with 401 Cr.P.C. a challenge is given to the judgment dated 4.8.2007 passed by learned Additional Chief Judicial Magistrate, Suratgarh in Cr.Case No.455/98 acquitting the respondent No.2 from the offences under Sections 419, 420/511 IPC.

The contention of counsel for the petitioner is that the trial court failed to appreciate that in the voter list name of the accused was shown as Sheetal Singh and not as Boorh Singh son of Nadar Singh @ Hukam Singh. According to counsel for the respondent No.2 by naming himself Boorh Singh made an effort to grab the land of the petitioner who is actually the Boorh Singh to whom a piece of agricultural land was allotted.

I have examined the order impugned.

The voter list with regard to that much emphasis is given by counsel for the petitioner was not examined by the trial court being not admissible in evidence as the same was not admitted, thus, there was no question of examining the same. From the order impugned I do not find any miscarriage of justice or failure on part of the trial court to exercise jurisdiction vested with it.

Thus, the revision petition is dismissed.

(GOVIND MATHUR),J.

Kkm/ps.